EXPLANATION OF

07

فروع الفقه

Ibn Al-Mibrad

Shaykh Ahmad Musā Jibrīl

May Allah (سبحانه و تعالى) ease the affairs of the Shaykh, preserve him, love him, and safeguard him from all harm. May He (سبحانه و تعالى) keep him sincere, and continue to shower his life and da'wah with His blessings, and allow the Muslims to benefit from his da'wah until the Day of Judgement. May Allah make all his efforts weigh heavy on his scales, and make it an immense Sadaqah Jāriyah for him, his parents, and his family. May Allah facilitate the completion of this Sharh, and shower him with His aid always and forever.

SH_AHMAD_JIBRIL

SHAYKH_AHMAD_JIBRIL

T.ME/AHMAD_MUSA_JIBRIL

SHAYKH AHMAD MUSĀ JIBRĪL

SHAYKH AHMAD MUSĀ JIBRĪL

بسم الله الرحمان الرحيم

الحمد الله المحمود على كلِّ حال، ونعوذ بالله مِن حال أهل الضلال، وأشهد أن لا إلٰه الا الله وحده لا شريك له الكبير المتعال، وأشهد أن سيدنا و نبينا محمداً عبده و رسوله، صلى الله عليه و على آله و صحبه و التابعين و من تبعهم بإحسانٍ إلى يوم المآلِ، أما بعد

All praise is due to Allāh, the One who is praised in all circumstances. And we seek refuge in Allāh from the state of the people of misguidance, and I testify that there is no god but Allāh Alone, who has no partner, the Great, the Most High. And I testify that our lord and Prophet Muhammad is His slave and Messenger, may the peace and blessings of Allāh be upon him, and upon his family, his companions, their successors, and whoever follows them with sincerity in striving for perfection until the Day of Judgement. As for what follows:

The next statement of the author of Furū' Al-Fiqh pertains to Tahārah, specifically the Sunan of Tahārah. He says:

وَتخليلُ الأصَابعِ واللِّحيَةِ.

Which means permeating water between the fingers and the beard. Takhlīl (تخليل), keep that word in mind because we'll be using it throughout this class 'Inshā'Allāh. It means to permeate or run the wet fingers through the beard, or through the fingers. When we say fingers, we mean to encompass the toes as we'll see 'Inshā'Allāh. So under that statement we have three main factors we must discuss:

- Takhlīl of the fingers and how it's performed
- Takhlīl of the toes and how that's performed
- Takhlīl of the Lihya (beard) and how that's performed

The author (رحمه الله تعالى) started with the fingers, so we'll start with that as well.

وَتخليلُ الأصَابعِ واللِّحيَةِ.

We are at (تخليل الأصابع), which means permeating water between the fingers. And that is a Sunnah that's mentioned in numerous Ahādīth. The most authentic of those Ahādīth is the Hadīth of Laqīq Ibn Sabirah, mentioned in Sunan Abu Dawūd, Sunan At-Tirmidhi, Sunan An-Nasā'ī, Sunan Ibn Mājah, and Musnad Imām Ahmad. And it's authenticated by At-Tirmidhi, Ibn Khuzaymah, and Al-Hākim among others that Laqīq Ibn Sabirah asked the Messenger (صلى الله عليه و سلم) pertaining to Wudū', and the Messenger (صلى الله عليه و سلم) said:

أَسْبِغِ الْوُضُوءَ

Perform the Wudū' fully and completely,

وَخَلِّلْ بَيْنَ الْأَصَابِعِ

Permeate the water between the fingers.

وَبَالِغْ فِي الِاسْتِنْشَاقِ إِلَّا أَنْ تَكُونَ صَائِمً

And exaggerate snuffing up water, unless you are fasting.

Permeating water between the fingers was also related, mentioned, or done by many of the Salaf. Like Al-Mustawrid Ibn Shadād Al-Fihri, Ibn 'Abās, Wā'il Ibn Hijr, Abū Ayūb, Abu Bakr, 'Umar, his son, Ibn Mas'ūd, 'Ikrimah, and Al-Hasan Al-Basri (رضي الله تعالى عنهم جميعاً).

Actually, we don't know of any of the Tābi'īn or Salaf who left out the Takhlīl between the fingers during Wudū'. Some who did not narrate it within the description of the Ahādīth that they related to us, it could've been and it's most likely due to the fact that they did not deem it as a Wājib. Keep in mind however, it becomes a Wājib for someone who did not get the water to reach in between their fingers. It's only Sunnah when water reaches between the fingers, meaning you must let the water reach in between the fingers regardless.

How it's performed:

Al-Hanafiyyah, Ash-Shāfi'īyyah, and Al-Hanābilah said it's done by interlacing the fingers with each other. They used the Hadīth of Laqīq Ibn Sabirah. They said the Messenger (صلى الله عليه و سلم) mentioned Takhlīl, and it means to put something into something, and that is more accurately done by interlacing the fingers with each other. So, some said it's done by interlacing the fingers with each other, and others said it's done using one finger in between the other fingers.

That's pertaining to the fingers. The next one is, Takhlīl pertaining to the toes. On that matter, there's some Ahādīth, like Hadīth 'Uthmān (رضي الله تعالى عنه), on the authority of Abū Wā'il:

رأيت عثمان ابن عفان يتوضأ ثلاثاً ثلاثاً

و غسل قدميه ثلاثا ثلاثا

و غسل أنامله و خلَّل لحيته

It specifies the Takhlīl between the toes. There's other Ahādīth pertaining to the Takhlīl of the toes, all of which are weak. However, the Ahādīth pertaining to washing between the fingers in general, even though they don't specify the toes of the feet – regardless they're included and they fall under the general Ahādīth we mentioned like the Hadīth of Laqīq Ibn Sabirah. Yes, his Hadīth only mentions (الأصابع), meaning the fingers – generally meaning the hand fingers. However, it also encompasses the toes by analogy of similarity.

Not only does Hadīth Laqīq Ibn Sabirah encompass – by analogy – the toes, but it's more certain to apply to the feet. Because dirt, Najāsah, and lack of cleanliness generally stick to feet more than they do the fingers of the hands, and they're usually neglected there. When a hand gets dirty, someone usually rushes to wash it. Unlike the foot, that may accumulate dirt or have lack of cleanliness, that may disregarded or may go unnoticed. Therefore, it's more essential to do Takhlīl of the toes with the water in the fingers.

There are also some narrations by some of the Sahābah who did it, like Ibn 'Umar and Ibn 'Abbās (رضي الله تعالى عنهم جميعاً). How is it performed?

The overwhelming majority of the four Madhāhib, Al-Hanafiyyah, Ash-Shāfi'īyyah, Mālikiyyah, and the Hanābilah say it's using the (خِنْصَر). The Khinsar (خِنْصَر) is the term used for the pinky. They said you use the pinky to do Takhlīl between the toes, because of the Hadīth of Al-Mustawrid Ibn Shadād (رضي الله تعالى عنه), where he said:

رَأَيْتُ النَّبِيَّ صلى الله عليه وسلم إِذَا تَوَضَّأَ دَلَكَ أَصَابِعَ رِجْلَيْهِ بِخِنْصَرِهِ .

"I saw the Prophet when he was performing Wudū' doing that to the toes on his feet with his pinky."

That Hadīth shows how the Messenger (صلى الله عليه و سلم) did Takhlīl with his Khinsar. Ibn Qudāmah mentioned that Hadīth, and he hinted that it's weak. But he used its meaning and said it's Mustahab to rub water between the toes using the method in that Hadīth.

- He said you start with the **right foot** and stick the pinky of the left hand between the toes, **starting from the pinky of the right foot** and go in order until you reach the big toe.
- Then, you continue with the **big toe of the left foot** and go in order until you **reach the pinky of the left foot.**

It may be following the weak Hadīth, but it gets support because it going in order from right, all the way to the left. And the Messenger (صلى الله عليه و سلم) loved starting from the right, in everything, specifically in purification as we'll mention in an upcoming Hadīth. Also, it's the way some 'Ulamā' recommended. Some Hanābilah actually said you use the pinky from the bottom of the foot, and there's a narration in Musanaf Ibn Abī Shaybah, where Ibn 'Umar (رضي الله تعالى عنهم جميعاً) rubbed and put all his fingers in between his toes.

One thing that must be noted, is that there's many Ahādīth on Takhlīl of the fingers, promising a punishment for the one who doesn't do so, however they're all weak. Every single one of them is weak.

We took Takhlīl between the fingers and toes, and how it's done. After that there is Takhlīl of the Lihyah (اللِّحَى). Before we get into that, you must understand that the beard itself, is two types.

There's the light beard where the skin can be visibly seen through it, in that case the skin must be washed through the beard (for example, those who have a little hair on the side of their face, either it's in the early stages of growing or just that Allāh (سبحانه و تعالى) created some people like that). Takhlīl through a beard like that, or wiping over that with water is not sufficient. The skin under it must be washed fully, and that's according to the four Imāms.

When it's a dense, thick beard – where one can't see the skin under it – then you wash the face, and when you do so you wash over the beard. An-Nawawi (رحمه الله تعالى) said there's no dispute that a thick, dense beard should be washed over. Meaning you take water, you wash the face, and you wash over the outer layer of the beard. When it's a thick, dense beard you don't have to wash the inside of the beard, nor do you have to wash the skin under it. That's the opinion of the overwhelming, mass majority of the 'Ulamā', Sahābah, Tābi'īn, and some even related an 'Ijmā' on that. Ibn Rushd (رحمه الله تعالى) said, I don't know of any dispute on this matter.

The next issue is: تخليل اللِّحَى

Takhlīl of the Lihya, running the fingers through the beard or permeating the beard with your wet fingers. The first issue pertaining to that is, is it Wājib, Sunnah, or Makrūh?

The majority of the 'Ulamā' of Hanafiyyah, Shāfi'īyyah, and Hanābilah, and one of two opinions within the Māliki Madhhab, say it's Sunnah. They say it's Sunnah to do Takhlīl of the dense, thick beard with water (and the fingers). They said, running the fingers through the beard is not mentioned in the verse pertaining to Wudū'. That

verse does not mention permeating the beard with your fingers. And they said most of the narrations describing the Wudū' of the Messenger (صلى الله عليه و سلم) don't mention that detail, and the ones that mention it are weak, therefore we'll take it as a Sunnah instead of a Wājib.

The Hadīth in Sunan Ibn Mājah, on the authority of 'Uthmān,

أن رسول الله صلى الله عليه وسلم توضء فخلل لحيته

The Messenger (صلى الله عليه و سلم) performed Wudū' and ran his fingers through his beard.

Al-Bukhāri (رحمه الله تعالى) said,

هذا أصح حديثٍ في الباب

This is the most authentic Hadīth in this matter.

That (statement) is not authenticating it. It's merely saying it's the strongest among the weak Ahādīth, and we went over this matter in our series on Al-Ghurabā', I mentioned this issue. It's like walking into a hospice care unit, where you see everyone in the last stages of their life. You pass by one of those people whose eyes are open, and you say he's the healthiest person in this unit. Is he healthy? He's not healthy, he's in his final stages of life, but among others who are in a worse condition than him.

That Hadīth is weak, and there's many different narrations. In fact, there's nearly twenty Ahādīth pertaining to this matter, none of which are authentic. What's referenced here pertaining to the authenticity of these Ahādīth (the Takhlīl of the beard), is nearly identical to what we mentioned pertaining to the Ahādīth about the Tasmiyah prior to Wudū' (the concept is nearly identical). They're weak and they're not at the level of strengthening each other, that's the bottom line. Ibn Abī Hātim said, I asked my father about this matter (about Takhlīl Al-Lihya) and he said there's nothing authentic (Hadīth) on this matter.

In Masā'il Abī Dawūd, Imām Ahmad was asked the same question about Takhlīl of the Lihya, which he encouraged to do, but at the same time he said there's many narrations – all of which are weak. Even though At-Tirmidhi, Ibn Khuzaymah, Al-Hākim, and Ibn Hibbān and others authenticated some of the narrations, it's clear what Imām Ahmad and Abī-Hātim said is more correct. That is, there is really nothing authentic on this matter.

So the first opinion is that it's permissible or Mustahab (meaning Sunnah).

The second opinion is in At-Tamhīd, and it's attributed to Imām Mālik, that he considered it (Takhlīl of the Lihya) Makrūh (disliked). Why? He actually has a strong argument, and that is there is no authentic Hadīth on this matter. And had it been part of Wudū' it would've been narrated in an authentic Hadīth.

The third opinion is that it's Wājib to do Takhlīl of the Lihya during Wudū'. And it's attributed to the Madhhab of the Mālikiyyah and it's the opinion of 'Atā', Abu Thawr, and Ishāq Ibn Rahaway. In one of his statements he said, if one does not run his fingers through his beard (Takhlīl) he should repeat the Wudū' – implying that his Wudū' is not accepted. And their proof for this is the Ahādīth pertaining to this matter, those Ahādīth we mentioned are weak, they took them to indicate it being a Wājib.

So:

- The first opinion is that it's Sunnah
- The second opinion is that it's disliked (Makrūh)
- The third opinion is that it's Wājib

What's Ar-Rājih in this Mas'alah? What is the selected or correct opinion? The third opinion (that it's Wājib) is the weakest. It couldn't be Wājib because the Messenger (صلى الله عليه و سلم) had a thick beard. And there is nothing authentic that he ran his blessed wet fingers through his blessed beard during Wudū', nor did he order that (صلى الله عليه و سلم). The fact that there is an abundance of authentic Hadīth that describe the Wudū' of the Rasūlul-Allāhi (صلى الله عليه و سلم), and none that are authentic pertaining to this matter shows it cannot be Wājib. The correct opinion would've been Imām Mālik's opinion in At-Tamhīd, that it's Makrūh, because his reasoning is very

strong. What would remove it from being disliked, is that it's actually proven by more than one Sahābi that they did Takhlīl of the beard, and we don't know anyone who opposed them.

Ibn Abī Shaybah said, among the Sahābah who are known to have done or conveyed the Takhlīl of the Lihya is Ibn 'Abbās, Anas Ibn Mālik, Ibn 'Umar, 'Uthmān, and others. And from the Tābi'īn, Abu Qulābah, Ad-Dahāk, Mujāhid, Ibn Sirīn, Ibrahīm An-Nakha'i, Sa'īd Ibn Jubayr, and Ibn Qudāmah when he mentioned this, he mentioned some of those names to back this issue up. In addition to those he mentioned Al-Hasan Al-Basri, 'Atā' As-Sā'ib, and Ibn Abī Laylah.

The next issue is, how is it done? From what I gather from the books of Fiqh, is that one of the ways is:

- عرك العارضين
  Is to go through the sides (he proceeds to wipe the sides of his beard with both his hands).

  That's been narrated from Ibn 'Abbās, and Ibn 'Umar (رضي الله تعالى عنهم جميعاً).

  Another one is,

- يغلغِل بيده في أصول شعره
  Running the fingers all over, especially from the front.

The third one is, going from the back. Imām Ahmad (رحمه الله تعالى) was asked, how is Takhlīl done? He said from under the beard.

- سألت إمام أحمد عن التخليل؟ فأراني من تحت لحيته، فخلل بالأصابع.

The purpose is to run the fingers within the beard, not to wash it, nor to reach the skin beneath the beard.

Another quick issue under this matter, is Takhlīl done when washing the face or when wiping the head? Abu Al-Hārith said, I asked Imām Ahmad pertaining to that issue, and he said, it's up to that individual whether he wants to do it when he washes his face, or when he wipes his head. The rest and the majority of the 'Ulamā', and it's probably correct, is that when it's washing the face. 'Ulamā' usually mention this issue under the washing of the face, and there's no proof to do it when wiping the head. There's no Hadīth on that, nor any action by the Sahābah to back that up.

Another issue, washing the beard (before we were talking about washing over the thick beard), as in washing it fully, **is not** a Sunnah in Wudū'. It's not from the actions of the Sahābah, there's no proof on it, in fact it's wrong. Imām Ahmad (رحمه الله تعالى) said washing the beard in Wudū' is not a Sunnah. Some misunderstand a statement by Sa'īd Ibn Jubayr (رحمه الله تعالى) where he said, why do people wash their beard before it grows, yet when it grows they no longer wash it? And they infer from that (statement) that he's actually recommending washing the beard in Wudū', but that's a misinterpretation. The 'Ulamā' said that he meant Takhlīl with the fingers, he did not mean fully washing it. And how do we know that for a fact? Because Abu Ishāq said, I saw Sa'īd Ibn Jubayr performing Wudū' and he ran his fingers through the beard during his Wudū'.

Another quick issue is there is nothing authentic on the number of times one runs his fingers through the beard (Takhlīl), there is no proof from the Messenger (صلى الله عليه و سلم), nor the Sahābah, nor early Tabi'īn. One time should be sufficient.

Should new water be used for the Takhlīl? Ibn 'Abbās and Ibn 'Umar did not take new water for the Takhlīl. And some of the Salaf like Al-Hasan An-Nakha'i didn't think it was necessary to take new water for the Takhlīl.

Another issue, which doesn't pertain to the statement of the author, but the only reason I'll mention it is because the Fuqahā', when they mention these topics they put it under the sequence of these issues. And it is the issue of one wearing a ring. The overwhelming majority of the 'Ulamā' of Al-Hanafiyyah, Ash-Shāfi'īyyah, and Hanābilah say it's mustahab and recommended to move the ring around if water flows under it. Like if it's slightly loose and water flows under it. If water doesn't reach under it, then

he must remove it or move it up somehow, to ensure water does reach under it. So they said it's mustahab to move it around if water reaches under it. And they take that from the verse:

وَأَيدِيَكُم إِلَى المرافِقِ

Your hands (forearms) up to the elbows
(5:6)

One must wash his hands (according to the ayah) all the way up to the elbows. And if he leaves any portion, no matter how small it is or where it is, he is not performing the Wudū' that Allāh (سبحانه و تعالى) mentioned in the verse:

وَأَيدِيَكُم إِلَى المرافِقِ

The next statement of the author is,

وَالمُبَالَغَةُ فِي المَضْمَضَةِ وَالاستنشَاقِ.

Exaggeration in rinsing the mouth and in snuffing the water.

The proof on snuffing the water and exaggerating it is the Hadīth we mentioned earlier. Hadīth Laqīq Ibn Sabirah,

وَبَالِغْ فِي الِاسْتِنْشَاقِ إِلَّا أَنْ تَكُونَ صَائِمً

And snuff up water freely, unless you are fasting.

There is no proof on the exaggeration of rinsing the mouth (المضمضة). However, the 'Ulamā' use Qiyās (analogy of similarity, not the Qiyās of 'Illah), rinsing the mouth and snuffing in the water is from the right hand. And it's inferred to be from the right hand from the Hadīth of 'Abdullāh Ibn Zayd describing the Wudū' of Rasūlul-Allāh (صلى الله عليه و سلم). It's not direct, but it's inferred from it:

فَمَضْمَضَ وَاسْتَنْشَقَ مِنْ كَفٍّ وَاحِدَةٍ فَفَعَلَ ذَلِكَ ثَلاَثًا

(…rinsed his mouth and snuffed up water from the palm of one hand doing that three times)

The Sunnah is also to do it before the face. Rinsing, and snuffing in the water is Sunnah done before the face. It's the Sunnah of the Messenger (صلى الله عليه و سلم) and the Sahābah. An-Nawawi (رحمه الله تعالى) there's 'Ijmā' that the Sunnah is to do the rinsing of the mouth before the snuffing (اسْتَنْشَاق). Ash-Shāfi'ī (رحمه الله تعالى) said, that is a Wājib, it must be done that way, (that is) rinsing the mouth before snuffing in the water.

The majority of the 'Ulamā', and that is possibly what is correct, is that it's taken as a Sunnah rather than a Wājib. Why? They considered it as one part, so it's a Sunnah if you change the order in it. It's better to do the rinsing of the mouth first, then snuff it – but they said it's only a Sunnah not a Wājib.

Exaggerating the rinsing of the mouth (المضمضة) is defined as putting enough water in the mouth, moving it all around the mouth, left and right and up and down, then spitting it out. Sometimes you see people using their finger, possibly they think that's exaggerating in cleaning. However, there is no proof on using the finger when rinsing the mouth when doing (المضمضة), or the nose for that matter. There is no Hadīth on that, there is nothing authentic from the Sahābah (رضي الله تعالى عنهم جميعاً). There is a narration that 'Uthmān (رضي الله تعالى عنه) used to put his finger in his mouth when he did the (المضمضة) and clean it, but it's not an authentic one.

The factors of exaggerating the (المضمضة) are three.

- **إدخال الماء في الفم**
  Putting the water in the mouth
- **ثم تحريكه**
  Moving it about
- **ثم مجه**
  The third factor is to spit it out

Doing the three means you fulfilled exaggerating the rinsing of the mouth (المضمضة). That's sufficient for the Sunnah of exaggerating the rinsing of the mouth for Wudū'. Doing two of those will be acceptable for Wudū', but not sufficient enough for the Sunnah of exaggerating the (مضمضة). Meaning, if someone puts water in his mouth (إدخال الماء في الفم), then spits it out (مجه), that would be sufficient for Wudū'. He didn't do all three, just those two. The one he left out is moving the water in the mouth (تحريكه), he did those two which is sufficient for Wudū', but it's not sufficient for Al-Mubālaghah (المبالغة) in the Wudū' (exaggeration). Also, if one puts water in the mouth and moves it, and then swallows it – it's acceptable. Because that's considered (مضمضة) in Lisān Al-'Arab, and it's acceptable. If one puts water but does not move it about and swallows it, it's not called (مضمضة). It's not rinsing the mouth, it's called swallowing. That's not sufficient for Wudū'.

An important note about (مضمضة) is that exaggerating does not imply it needs to hit the back or the top of the throat, or gargle. That's not part of exaggerating the (مضمضة). As we've said,

إدخال الماء في الفم، ثم تحريكه، ثم مجه

It's putting the water in the mouth, moving it about, then spitting it out.

That's sufficient and considered exaggerating in (مضمضة).

Then comes Al-Istinshāq (الاستنشاق). Which is to snuff or inhale the water to the furthest point of the nose. Exaggerating snuffing is defined as snuffing in the water – forcibly drawing in the water, to the point short of swallowing it. After that, it's Sunnah to do Istinthār (استنثار) which is blowing the water out from the nose, and it's also referred to as Zafīr (زفير).

It's more properly done by putting in the water with the right hand, and blowing it out with the left hand. The least accepted form of (الاستنشاق) to be proper for Wudū', not exaggerating, is for water to go in any way possible. For example, if someone wets a cloth or a tissue and puts it in the nose it's fine. Not for exaggerating it (مبالغة), but acceptable for Wudū'. Or wetting the fingers and putting them in the nose, that's

sufficient. That's the least, but not sufficient for (المبالغة في الاستنشاق). That may be good for somebody who has a sensitive nose or may have some kind of illness.

The next statement or word from the author is:

وَالسِّوَاكُ.

Cleaning the teeth.

There is no dispute that using the Miswāk (tooth stick) for Wudū' is Mustahab. There's the Hadīth of Abu Hurayrah, rather many Ahādīth on it, but his Hadīth where the Messenger (صلى الله عليه و سلم) said,

لَوْلَا أَنْ أَشُقَّ عَلَى أُمَّتِي لَأَمَرْتُهُمْ بِالسِّوَاكِ مَعَ كُلِّ وُضُوءٍ

Had I not feared burdening my Ummah, I would have commanded them to use Siwāk with every ablution.

And that Hadīth is in Musnad Ahmad, Sunan An-Nasā'ī, and Muwata' Mālik. Al-Bukhāri mentioned it Mu'alaqan (معلقاً).

There's also a Hadīth in Sahīh Muslim related by Ibn 'Abbās (رضي الله تعالى عنهما),

فَتَسَوَّكَ وَتَوَضَّأَ ثُمَّ قَامَ فَصَلَّ

(He (صلى الله عليه و سلم)) used the tooth-stick, performed the ablution, and then got up and offered the prayer.

As to the precise timing one uses the Miswāk for Wudū', there's no clear direct proof on that. The Jumhūr (the majority of the 'Ulamā'), the Mālikiyyah, Shāfi'īyyah, and Hanābilah, they said the term (مع) [means] within the Wudū', meaning he rinses his mouth in Wudū' – then he uses the Miswāk within the Wudū'. And they use the narration in Musnad Ahmad:

لَأَمَرْتُهُمْ بِالسِّوَاكِ **مَعَ**

With. They said with Wudū' means during Wudū'. That's not really proof for that, why? Because there's Ahādīth with similar meaning, that's related by Abu Hurayrah,

لَوْلاَ أَنْ أَشُقَّ عَلَى أُمَّتِي ـ أَوْ عَلَى النَّاسِ ـ لأَمَرْتُهُمْ بِالسِّوَاكِ مَعَ كُلِّ صَلاَةٍ

"If I had not found it hard for my followers or the people, I would have ordered them to clean their teeth with Siwāk for every prayer." (Bukhāri & Muslim)

The same word (مَعَ) that was used for Wudū' was used here for Salāh. Does that mean we use the Miswāk in the Salāh? Just like we say (مع الصلاة) was meant to be before As-Salāh, no one said (مع الصلاة) means in Salāh. So (مع الوضوء) should mean the same, meaning before Wudū'. There's actually two narrations that say using the Miswāk (مَعَ كُلِّ صَلاَةٍ), there's one in Bukhāri, there's another one that says (عند كل صلاة) that's in Sahīh Muslim. Whether it's (مع) or (عند) we know we do it before Salāh, not within it. And the same should apply to Wudū', because those are identical terms used in both Wudū' and Salāh, and the same way we say we don't do it in the middle of Salāh, likewise we say we don't do it in the middle of Wudū'.

The second opinion pertaining to this matter is Ash-Shāfi'īyyah, and a second opinion in Mālikiyyah, and a second opinion in Hanafiyyah, is that it's before Wudū'. And that's the correct opinion because of a narration in Musanaf Ibn Abī Shaybah,

لَوْلاَ أَنْ أَشُقَّ عَلَى أُمَّتِي لأَمَرْتُهُمْ بِالسِّوَاكِ عِنْدَ كُلِّ وُضُوءٍ

*I would've commanded them to use the Miswāk **<u>at</u>** the time of every Wudū'.*

(عِنْدَ) is at, which means before. And that's more correct (before the Wudū), because of what I mentioned in response to their proof. Also, had it been within Wudū' it would've mentioned in many of the descriptions of Wudū' of Rasūlul-Allāh (صلى الله عليه و سلم). Like the one by 'Uthmān, 'Ali, Abdullāh Ibn Zayd, or the other ones (رضي الله عنهم أجمعين). They wouldn't have left that out. Also, to back that up that using the Miswāk is before Wudū', there is a narration on the authority of 'Ali Ibn Abī Tālib in Musanaf Ibn

Abī Shaybah, that a person should use the Miswāk then begin Wudū', in the clear order like that. That adds strength to using the Miswāk before Wudū'.

Another issue is that using the Miswāk within the Wudū' causes one to somewhat break the sequence of the Wudū', and that's something the Sahābah would've narrated to us, and they didn't. And you keep in mind the Miswāk is for the teeth, the gums, and for the tongue. So if the person lost his teeth, he still uses the Miswāk as a Sunnah on his gums and his tongue to fulfill the Sunnah.

The author then went on to say,

وَالتَّيَامُنُ.

That will be the final point for today 'Inshā'Allāh.

It means, beginning the washing of your parts (limbs) from the right side. And it's 'Ijmā' to start with the right side, related by An-Nawawi, Ibn Abdul-Barr, Al-Bāji, and other 'Ulamā'. Ibn Qudāmah also related that 'Ijmā', that is the 'Ijmā' of it being a Sunnah to start with the right body parts. Of course, what we mean by that is when there's two body parts, like the hands and legs.

In addition to the 'Ijmā' there's a Hadīth by Ibn 'Abbās in Sahīh Bukhāri that Ibn 'Abbās (رضي الله تعالى عنهما) performed Wudū' and started with his right hand, when he finished his hands he started with his right foot when he reached his feet, and once he completed his entire Wudū' (of starting with the right limbs) he said, this is how I saw the Messenger (صلى الله عليه و سلم) make Wudū'. Also there is Hadīth 'Ā'ishah (رضي الله تعالى عنها) in Sahīh Bukhāri on that matter, where the Messenger (صلى الله عليه و سلم) used to like to start from the right side, when wearing shoes, when combing his hair, cleaning, washing, purifying himself, and in doing anything else.

وَطُهُورِهِ, وَفِي شَأْنِهِ كُلِّهِ ,كَانَ اَلنَّبِيُّ – صلى الله عليه وسلم –يُعْجِبُهُ اَلتَّيَمُّنُ فِي تَنَعُّلِهِ, وَتَرَجُّلِهِ.

Allāh's Messenger (صلى الله عليه و سلم) loved to begin with the right while putting on his shoes, combing his hair, in his purification and in all his affairs.

With that we'll stop here. The following statement the author begins with Wājibāt Al-Wudū (واجبات الوضوء). Jazākum Allāhu Khair,

وصلى الله على سيدنا محمد و على آله و صحبه و سلم